

AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADADate of filing in State Engineer's Office JAN 26 2000Returned to applicant for correction FEB 15 2000Corrected application filed APR 14 2000Map filed APR 17 2000

The applicant **Nevada Land & Resource Company, LLC**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
 2. The amount of water applied for is **10.0 c.f.s.** second-feet
 - (a) If stored in reservoir give number of acre-feet
 3. The water to be used for **Irrigation**
 4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **1280 acres**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
 5. The water is to be diverted from its source at the following point **NE¼ NE¼ Section 5, T.32N., R.30E., MDM or at a point from which the NW corner of Section 6, T.32N., R.30E., MDM, bears N 85° 34' W, a distance of 9751 feet. Located within Black Rock Desert. Irrigation will be limited to 1280 acres within the Proposed Place of Use.**
 6. Place of Use **All of Section 5 T.32N., R.30E MDM and Section 33, T.33N., R.30E., MDM.**
 7. Use will begin about **January 1** and end about **December 31** of each year.
 8. Description of proposed works **Drilled well, pump & motor, and irrigation distribution System**
 9. Estimated cost of works **\$100,000**
 10. Estimated time required to construct works **5 years**
 11. Estimated time required to complete the application of water to beneficial use **10 years**
 12. Remarks:

for **Dorothy A. Timian-Palmer, P.E.; Chief Operating Officer**
By **s/David A. Merrill**
3264 Goni Road, Suite 153
Carson City, NV 89706
- Compared my/ gk1
- Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on February 15th of each year.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 10.0 cubic feet per second, not to exceed 5120.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

May 29 , 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

May 29 , 2012

Map in support of proof of beneficial use shall be filed on or before:

May 29 , 2012

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 29 day of May, A.D. 2007

_____
State Engineer / P.E.

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____